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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/992,974

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Thomas Birkhoelzer

P01,0440

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06/24/2009

SCHIFF HARDIN, LLP  
PATENT DEPARTMENT  
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CHICAGO, IL 60606-6473

EXAMINER

REFAI, RAMSEY

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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES

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*Ex parte:* THOMAS BIRKHOELZER,  
KARLHEINZ DORN,  
AND THOMAS REICHERT

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Application No. 09/992,974  
Technology Center 3627

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Mailed: June 24, 2009

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Before KRISTA ZELE *Deputy Chief Appeals Administrator*  
ZELE, *Deputy Chief Appeals Administrator.*

ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

This application was electronically received by the Board of Patent Appeals and Interferences on July 15, 2008. A review of the application revealed that it is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the Examiner to address the following matters requiring attention prior to docketing.

On April 30, 2007, appellants filed an Appeal Brief. A review of the file reveals that claim 1 in the appendix of the Appeal Brief is not consistent as amended in the Amendment filed on April 30, 2007. The Appeal Brief Appendix of Claims (claim 1, page 13, lines 6-7) reads: “workstations for sending said examination image, and workstations for receiving said examination images”. However, the Amendment dated April 30, 2007 (claim 1, page 2, lines 6-7), reads: “workstations for sending said medical examination images, and workstations for receiving said medical examination images”. Appropriate correction required.

### CONCLUSION

Accordingly, it is

ORDERED that the application is returned to the Examiner to:

- 1) correction of the Claims Appendix of the Brief filed April 30, 2007;
- 2) for such further action as may be appropriate.

Application No. 09/992,974

If there are any questions pertaining to this Order, please contact the  
Board of Patent Appeals and Interferences at 571-272-9797.

KZ/dal

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